

REMARKS

The Official Action dated July 1, 2004, has been carefully reviewed and the foregoing amendment has been made in response thereto. Prior to entry of the foregoing amendment claims 1 through 20 were active in the present application. Method claims 1-10 and 16-20 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1 through 20 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by the NCR Customer Relationship Management suite/portfolio, including Relationship Optimizer™ and InterRelate™ products.

The foregoing amendment requests the cancellation of claim 2 and 3. Method claims 1 and 16 have been amended to address the 35 U.S.C. §101 issues set forth in section 3 of the present Official Action. Claim 4 has been amended to depend from claim 1.

It is believed that the rejection of claims 1, 4-10 and 16-20 is overcome by the amendments to claims 1 and 16. As amended, each one of independent claims 1 and 16 recites an invention that employs the technological arts to suggest an interaction strategy to a customer service representative in a customer relationship management environment. Specifically, each one of claims 1 and 16 recites the use of an *interaction repository* containing customer data; one or more *data analysis tools comprising executable instructions* to analyze said customer data to determine one or more patterns and generate a set of rules based upon said patterns; and a *recommendation engine* to apply said rules to a current customer interaction to recognize one or more of said patterns in said interaction and suggest an interaction strategy corresponding to said recognized patterns. The interaction repository, data analysis tools, and recommendation engine are described in the specification of the present application and are clearly technological elements.

The rejection of claims 1 through 20 under 35 U.S.C. § 102(b) as being clearly anticipated by the NCR Customer Relationship Management suite/portfolio, including Relationship Optimizer™ and InterRelate™ products is respectfully traversed. Sections 5 and 6 of the present Official Action lists several press releases and product announcements concerning the NCR Customer Relationship Management suite/portfolio, Relationship Optimizer™ and InterRelate™ products.

Each one of system claims 11 through 15 of the present application recites an invention which is a combination of several elements. For example, claim 11 recites an invention that includes one or more data analysis tools, and a recommendation engine. Claim 12, which depends from claim 11, further recites an interaction management application. The specification of the present application provides examples of these three elements: the recited data analysis tools may be provided by NCR Corporation's Relationship Optimizer product; the recited recommendation engine may be a commercially available recommendation or rules engine provided by Net Perceptions, Inc.; and the recited interaction management application may be provided by NCR Corporation's InterRelate product.

As stated above, each one of system claims 11 through 15 of the present application recites an invention which is a combination of several elements. A prior sale or public use of one or more individual elements of a claim cannot be an anticipation of a combination of elements – the combination itself must be shown to be in public use, on sale, or publicly disclosed more than one year prior to the effective filing date of the present application. Neither one of NCR Corporation's Customer Relationship Management suite/portfolio, Relationship Optimizer™ or InterRelate™ products includes all the elements recited in any one of claims 11 through 15. None of these products includes, and none of the cited product

announcements discloses, a recommendation engine as recited in each one of claims 11 through 15.

The elements described above and recited in claim 11, i.e., one or more data analysis tools, and a recommendation engine, are also elements that are recited each one of method claims 1, 4-10 and 16-20. As neither of the cited product announcements discloses a product that performs all of the steps recited in method claims 1, 4-10 and 16-20, each one of these claims is believed to be patentable over the cited references. None of the cited product announcements discloses, a recommendation engine which performs the function recited in each one of method claims 1, 4-10 and 16-20.

In view of the foregoing amendments and remarks, it is believed that the application including claims 1 and 4 through 20 is in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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